

EXHIBIT D

RECALLED

MAR 24 1966
RECALLED JUN 6 - 1966CHAPTER 989Print ~~1652~~
5414Intro. 1607
P321

IN SENATE

February 1, 1966

Introduced by Mr. LAVERNE—read twice and ordered printed,
and when printed to be committed to the Committee on Labor
and Industry

AN ACT

To amend the labor law and the penal law, in relation to
payment of wages

Notes

P.L. 98-101 "Anti-Strike-Stock".
"Prohibited from being
employed in public."
"No work shown no system."

P.L. 98-101 "workman".
"Employed" "workman".
P.L. 98-101 "read" "provision".
"Provision".
P.L. 98-101 "the" "the".
"Provision" "the".

Compared by

Robert M. Brown
Hudsey M. Brown

APPROVED
JUN 8 - 1966

Approved

MICROFILMED

Date 3/15/66 2
No. of printed bills
No. of exposures
exclusive of bills 31

In Senate

March 23, 1966

By Mr. LAVERNE

Resolved (if the Assembly concur) that a respectful message be sent to the Governor requesting the return to the Senate of the Senate bill (Pr. No. 1652, Int. No. 1607) entitled "

IN SENATE

Print 1652

Intro. 1607

Mr. LAVERNE

An act to amend the labor law and the penal law, in relation to payment of wages

" for the purpose of amendment.

By order of the Senate

Albert J. Abraham

Secretary.

In Assembly

MAR 23 1966

19

Concurred in without amendments.

By order of the Assembly,

John T. McManis

Clerk.

In Senate

MAY 3 - 1966

195....

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (Pr. No. ...1652..., Int. No. ...1607...) entitled "

An act to amend the labor law and the penal law, in relation to payment of wages

"

The vote upon the final passage of the same was reconsidered.

On motion of Mr.Laverne..... and by unanimous consent,

the same was amended as follows: "

AMENDMENT

Senate Intro. 1607, Print 1652, by Mr. Laverne - An Act to amend the labor law and the penal law, in relation to payment of wages

Amend bill as follows

Page 1, line 6 - after "than" insert in italics:

a non-profitmaking organization or an employer

Page 1, line 6 - delete "one"

Page 1, between lines 9 and 10 insert the following in italics:

Every non-profitmaking organization shall pay to each employee his wages earned in accordance with the agreed terms of employment, but not less frequently than semi-monthly. As used in this section, a non-profitmaking organization means any corporation, unincorporated association, community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Page 2, line 9 - change "joint-stock" to: joint stock

Page 2, line 20 - delete "workman" and substitute therefor: workman

Page 2, line 21 - delete "provisions" and substitute therefor: provision

Page 3, line 16 - delete comma after "thereof"

Said bill as amended becoming Senate Reprint No. ...5414....., was reprinted, re-engrossed and, having been on the desks of the members in its final form at least three calendar legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate

Albert J. Abramo
Secretary.

State of New York

In Senate

JUN 6 1966

.....19.....

By Mr. **LAVERNE**.....:

Resolved (if the Assembly concur) that a respectful message be sent to the Governor requesting the return to the Senate of the Senate bill (Pr. No. 5414, Int. No. 1607) entitled "

IN SENATE

3d Rdg. 174

Print 1652, 5414

Intro. 1607

Mr. LAVERNE

An act to amend the labor law and the penal law, in relation to payment of wages

" for the purpose of amendment.

By order of the Senate,

Albert J. Abramo
Secretary.

In Assembly

JUN 6 1966

.....19.....

Concurred in without amendments.

By order of the Assembly,

John T. McEwen
Clerk.



State of New York

Executive Chamber

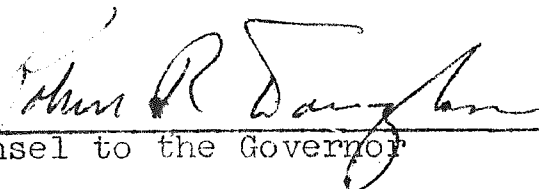
Albany JUN 6 - 1966

To the Senate:

Pursuant to concurrent resolution
of the Senate and Assembly, herewith is returned for amendment
Senate Bill, Introductory Number.....1607.....,
Printed Number.....5414.....,

Entitled "An Act

to amend the labor law and the penal law, in relation to payment
of wages"


Counsel to the Governor

State of New York

In Senate

JUL 1 - 1966 195.....

By Mr. LAVERNE.....:

Resolved (if the Assembly concur) that Senate bill (Pr. No. 544, Int. No. 1607)
entitled “

IN SENATE

3d Rdg. 174

Print 1652, 5114

Intro. 1607

Mr. LAVERNE

An act to amend the labor law and the penal law, in relation to pay-
ment of wages

” be returned to the Governor.

By order of the Senate,

Albert J. Abramo
Secretary.

In Assembly

JUL 1 1966 195.....

PRINT NO. 1652INTRO. NO. 81607

3/16/66

Department & AgenciesLegal Groups

☒ Lt. Governor
☒ Attorney General
☐ Budget
☒ Comptroller

☐ Judicial Conf
☐ Law Revision Comm.
☒ Assoc. of the Bar, NYC
☐ N.Y. Co. Lawyers.
☐ N.Y. State Bar
☐ Nassau County Bar
☐ N.Y. Crim. Cts. Assoc.
☐ D. A. Assoc.
☐ Magistrates Assoc.
☐ Co. Judges Assoc.
☐ Surrogates Assoc.

☐ Ag. & Markets
☐ Banking
☐ Civil Service
☐ Commerce
☐ Conservation
☐ Correction
☐ Education
☐ Health
☐ Insurance
☐ Labor
☐ Mental Hygiene
☐ Motor Vehicles
☐ Public Service Comm.
☐ Public Works
☐ Social Welfare
☐ State
☐ Tax & Finance

Municipal Officials & Groups

☒ Mayor of NYC

☐ Co. Bd. of Supervisors

☐ Town Supervisor of _____

☐ Co. Atty. of _____

☐ Conf. of Mayors
☐ County Officers' Assoc.
☐ Association of Towns

☐ Atomic Energy
☐ Civil Defense
☐ General Services
☐ Housing
☐ Investigation
☐ Liquor Auth.
☐ Local Gov't
☐ Mil. & Naval Aff.
☐ Parole
☐ Regional Development
☐ State Rent Comm.
☐ St. Comm. For Human Rights
☐ St. Police
☐ State Univ.
☐ Transportation
☐ Veterans Aff.
☐ Youth Div.

☐ Advisory Council on _____

☐ Joint Legis. Comm. on _____

☐ Temporary State Comm. on _____

Comm. on _____
 for _____

NYS Rent Comm.

NYS B. & C. C.

NYS Govt. Lab. Council

Department & Agencies

Legal Groups

5/1/66

☒ Lt. Governor
☒ Attorney General
☒ Regt.
☒ Comptroller

☐ Ag. & Markets
☐ Banking
☐ Civil Service
☐ Commerce
☐ Conservation
☐ Correction
☐ Education
☐ Health
☒ Insurance
☒ Labor
☐ Mental Hygiene
☐ Motor Vehicles
☐ Public Service Comm.
☐ Public Works
☐ Social Welfare
☐ State
☐ Tax & Finance

☐ Judicial Conf.
☐ Law Revision Comm.
☒ Assoc. of Attys., NYC
☒ N.Y. Co. Lawyers
☐ N.Y. State Bar
☐ Nassau County Bar
☐ N.Y. Crim. Cts. Assoc.
☐ D. A. Assoc.
☐ Magistrates Assoc.
☐ Co. Judges Assoc.
☐ Surrogates Assoc.

Municipal Officials & Groups

☐ Mayor of _____

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☐ Atomic Energy
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☐ Mil. & Naval Aff.
☐ Parole
☐ Regional Development
☐ State Rent Comm.
☐ St. Comm. For Human Rights
☐ St. Police
☐ State Univ.
☐ Transportation
☐ Veterans Aff.
☐ Youth Div.

☐ Town Supervisor of _____

☐ Co. Atty. of _____

☐ Conf. of Mayors
☐ County Officers' Assoc.
☐ Association of Towns

☐ Advisory Council on _____
☐ Joint Legis. Comm. on _____
☐ Temporary State Comm. on _____

AFL-CIO ✓
 Ass. Indus.
 Comm. Indus.
 Empire State Conf.
 Fed. of Jewish Philanthropies
 Amer. Red Cross
 Comm. Pers. Soc.
 Catholic Charities
 Jewish Social Serv.
 Catholic Welfare Comm.



THE SENATE
STATE OF NEW YORK
ALBANY

S 1607

THOMAS LAVERNE
57TH DISTRICT
CHAIRMAN
COMMITTEE ON LABOR
AND INDUSTRY

March 17th, 1966

Hon. Robert R. Douglass
Executive Chamber
The Capitol

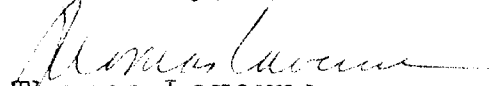
Re: Senate Intro. 1607 - Print 1652

Dear Sir:

As requested, I am enclosing Memorandum in support
of the above legislation.

Your favorable consideration is respectfully
requested.

Sincerely,


Thomas Laverne.

TJ:acs
Encls.

MEMORANDUM

RE

AN ACT to amend the labor law and the
penal law, in relation to payment
of wages

Purpose of bill:

To extend wage payment protection to domestic workers and to employees of non-profit organizations.

Summary of provisions of bill:

The bill amends subd. 2 of Section 196 of the Labor Law to delete the phrase "carrying on a business by lease or otherwise." The same phrase is also deleted from Sections 196-c and 198 of the Labor Law, and from Section 1272 of the Penal Law. Subdivision 2 of Section 196 requires the prompt payment of wages to manual workers. Section 196-c applies to wage payments of office workers. Section 198 provides a civil penalty, and Section 1272 of the Penal Law provides the penal penalty for failure to pay wages.

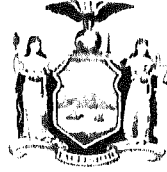
Statements in support of bill:

One of the major functions of the Labor Department is the assistance it provides to employees in collecting unpaid wages due them. In 1964, for example, the Department collected nearly half a million dollars for over 7,000 workers. There remain, however, two large groups of employees whose claims cannot be processed by the Department under the law as it is presently written -- persons employed as domestics, and employees in non-profitmaking institutions.

In connection with its administration of the Employment Agency Law, the Department has noted the importance of extending coverage to domestic workers. Such persons are generally in low-wage groups and are often ignorant of their legal rights and the remedies available to them. The fact that the Department receives approximately 2,000 inquiries a year from domestic workers who have not received their wages, indicates the need to extend coverage to them. It should be noted that legislation has already been enacted in connection with coverage of domestic employees under the Workmen's Compensation Law, Disability Benefits Law and Unemployment Insurance Law. This bill would, therefore, constitute a logical extension of the State's concern for these employees.

The bill is not designed to enable the Industrial Commissioner to invade the privacy of private homes and inspect for wage violations. It is intended only to permit the Industrial Commissioner to assist domestic workers when they file complaints with the Department of Labor that they have not received their wages.

The trend noted above in connection with domestic employees is even more noticeable in the case of persons employed by non-profitmaking institutions. In addition to coverage under the Workmen's Compensation Law, Disability Benefits Law and Unemployment Insurance Law (subject to Federal approval), such persons are already covered under the State Minimum Wage Act. There is little, if any justification for a rule that permits a person to file a claim if he is not paid the minimum wage, but withholds State assistance from him if his earnings exceed that amount.



51607

THE SENATE
STATE OF NEW YORK
ALBANY

THOMAS LAVERNE
57TH DISTRICT
CHAIRMAN
COMMITTEE ON LABOR
AND INDUSTRY

May 11th, 1966

Hon. Robert F. Douglass
Executive Chamber
The Capitol

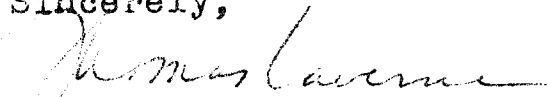
Re: Senate Intro. 1607, Print 5414

Dear Sir:

As requested, I am enclosing Memorandum in support
of the above legislation.

Your favorable consideration is respectfully
requested.

Sincerely,


Thomas Laverne.

TL:acs
Encls.

AN ACT to amend the labor law and the
penal law, in relation to payment
of wages

The People of the State of New York,
represented in Senate and Assembly,
do enact as follows:

Section 1. Subdivision two of section one hundred ninety six of the
labor law, as last amended by chapter six hundred fifty of the laws of nineteen
hundred sixty-two, is hereby amended to read as follows:

2. Every [person carrying on a business by lease or otherwise,] employer
other than one operating a steam surface railroad or engaged in the sleeping car
business, shall pay weekly to each employee the wages earned to a day not more
than seven days prior to the date of such payment.

§ 2. Section one hundred ninety-six-c of such law, as added by chapter
five hundred thirty-nine of the laws of nineteen hundred fifty-six, is hereby
amended to read as follows:

§ 196-c. Payment of wages and salaries of other persons employed.
Every employer [carrying on a business by lease or otherwise] shall pay to each
individual in his employ the wages and salary earned in accordance with the agreed
terms of employment.

The term "employer" as used in this section shall include any person,
co-partnership, corporation, or joint-stock association employing any individual
in any occupation, industry, trade, business, or service.

The wages and salary described in this section shall be deemed to be
wages of employees within the meaning of this article, except for the purposes
of sections one hundred ninety-five, one hundred ninety-six and one hundred
ninety-six-a.

This section shall not apply to any person employed in a bona fide
executive, administrative, or professional capacity whose earnings are in excess
of one hundred dollars a week.

Nothing in this section shall be construed to avoid the requirements for
the payment of wages to a workman, laborer or mechanic in accordance with the pro-
visions of section one hundred ninety-six, nor with the provisions of section
one hundred ninety-six-a, or with the provisions of article nineteen of this
chapter.

1/4/66

Senate Intro. 1607
Print 5414

DEPARTMENTAL
BILL 107

AN ACT to amend the labor law and the
penal law, in relation to payment
of wages

The People of the State of New York,
represented in Senate and Assembly,
do enact as follows:

Section 1. Subdivision two of section one hundred ninety six of the labor law, as last amended by chapter six hundred fifty of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

2. Every [person carrying on a business by lease or otherwise,] employer other than one operating a steam surface railroad or engaged in the sleeping car business, shall pay weekly to each employee the wages earned to a day not more than seven days prior to the date of such payment.

§ 2. Section one hundred ninety-six-c of such law, as added by chapter five hundred thirty-nine of the laws of nineteen hundred fifty-six, is hereby amended to read as follows:

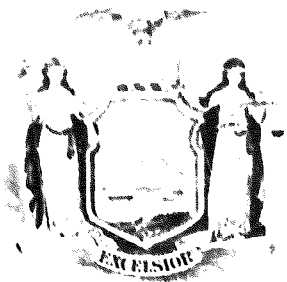
§ 196-c. Payment of wages and salaries of other persons employed. Every employer [carrying on a business by lease or otherwise] shall pay to each individual in his employ the wages and salary earned in accordance with the agreed terms of employment.

The term "employer" as used in this section shall include any person, co-partnership, corporation, or joint-stock association employing any individual in any occupation, industry, trade, business, or service.

The wages and salary described in this section shall be deemed to be wages of employees within the meaning of this article, except for the purposes of sections one hundred ninety-five, one hundred ninety-six and one hundred ninety-six-a.

This section shall not apply to any person employed in a bona fide executive, administrative, or professional capacity whose earnings are in excess of one hundred dollars a week.

Nothing in this section shall be construed to avoid the requirements for the payment of wages to a workman, laborer or mechanic in accordance with the provisions of section one hundred ninety-six, nor with the provisions of section one hundred ninety-six-a, or with the provisions of article nineteen of this chapter.



STATE OF NEW YORK
DEPARTMENT OF LABOR
STATE OFFICE BUILDING CAMPUS
ALBANY, N.Y. 12226

M. P. CATHERWOOD
INDUSTRIAL COMMISSIONER

July 11, 1966

Hon. Robert R. Douglass
Counsel to the Governor
Executive Chamber
State Capitol
Albany, New York

RE: S.I. 1607, Pr. 5414, by Mr. Laverne
An Act to amend the labor law and the
penal law, in relation to payment of
wages

Dear Bob:

I recommend approval of this bill.

This bill was sponsored by the Labor Department. It extends wage payment protection to domestic workers and to employees of nonprofit organizations. The bill was repassed by both Houses on May 4th and on May 9, 1966 I sent you a memorandum recommending approval. Subsequently on May 26th the bill was sent to the Governor. On June 6th it was recalled from the Governor, and finally on July 5th it was again sent to the Governor.

The extension of the wage payment law to domestic workers and employees of nonprofit organizations also is contained in Chapter 548 of the Laws of 1966. However, the instant bill also inserts a conforming amendment in Section 1272 of the Penal Law which prescribes the penalty for failure to pay wages. I, therefore, recommend approval of the above bill.

Sincerely,

M. P. Catherwood
Industrial Commissioner

OFFICE OF

THE INDUSTRIAL COMMISSIONER

ALBANY

DEPARTMENT OF LABOR

May 9, 1966

SENATE: Int. 1607
Pr. 5414

Introduced by: Mr. Laverne

RECOMMENDATION: Approval. The bill was sponsored by the Department of Labor.

STATUTES INVOLVED: Labor Law, Sections 196, 196-c and 198; Penal Law, Section 1272.

EFFECTIVE DATE: October 1, 1966.

DISCUSSION:

1. Purpose of bill:

To extend wage protection to domestic workers and to employees of non-profit organizations.

2. Summary of provisions of bill:

The bill amends subd. 2 of Section 196 of the Labor Law to delete the phrase "carrying on a business by lease or otherwise", which phrase now exempts non-business enterprises from the impact of the wage payment law. The same phrase is also deleted from Sections 196-c and 198 of the Labor Law, and from Section 1272 of the Penal Law. Subdivision 2 of Section 196 requires the prompt payment of wages to manual workers. Section 196-c applies to wage payments of office workers. Section 198 provides a civil penalty, and Section 1272 of the Penal Law provides the penal penalty for failure to pay wages.

Subdivision 2 of Section 196 is also amended to require non-profitmaking employers to pay each of its manual workers in accordance with the agreed terms of employment.

3. Prior legislative history:

None.

4. Known position of others regarding bill:

The bill is approved by the State AFL-CIO. The opposition of some non-profitmaking organizations to an earlier print of this bill has been overcome by the amendment of that print which is reflected in the last sentence of #2 above.

5. Budget implications:

Although the enactment of this bill would increase the workload of the Division of Labor Standards, the extent of such increase is unknown at present. Such increased workload would not reach its full impact during this fiscal year. Based upon the number of complaints which the Department of Labor now rejects for lack of jurisdiction but which it could process if this bill is enacted, the services of six investigators may be required for this function.

SENATE: Int. 1607
 Pr. 5414

Introduced by: Mr. Laverne

6. Arguments in support of bill:

One of the major functions of the Labor Department is the assistance it provides to employees in collecting unpaid wages due them. In 1964, for example, the Department collected nearly half a million dollars for over 7,000 workers. There remain, however, two large groups of employees whose claims cannot be processed by the Department under the law as it is presently written -- persons employed as domestics, and employees in nonprofitmaking institutions.

In connection with its administration of the Employment Agency Law, the Department has noted the importance of extending coverage to domestic workers. Such persons are generally in low-wage groups and are often ignorant of their legal rights and the remedies available to them. The fact that the Department receives a considerable number of inquiries a year from domestic workers who have not received their wages, indicates the need to extend coverage to them. It should be noted that legislation has already been enacted in connection with coverage of domestic employees under the Workmen's Compensation Law, Disability Benefits Law and Unemployment Insurance Law. This bill would, therefore, constitute a logical extension of the State's concern for these employees.

The bill is not designed to enable the Industrial Commissioner to invade the privacy of private homes and inspect for wage violations. It is intended only to permit the Industrial Commissioner to assist domestic workers when they file complaints with the Department of Labor that they have not received their wages.

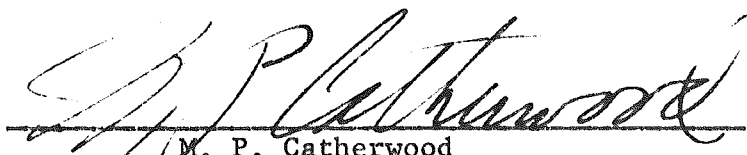
The trend noted above in connection with domestic employees is even more noticeable in the case of persons employed by nonprofitmaking institutions. In addition to coverage under the Workmen's Compensation Law, Disability Benefits Law and Unemployment Insurance Law (subject to Federal approval), such persons are already covered under the State Minimum Wage Act. There is little, if any, justification for a rule that permits a person to file a claim if he is not paid the minimum wage, but withholds State assistance from him if his earnings exceed that amount.

7. Arguments in opposition to bill:

The bill may be opposed on the ground that it permits investigators of the Labor Department to enter private homes for the purpose of determining whether the law has been violated. Some nonprofit organizations may contend that there is no need for this bill.

8. Reasons for recommendation:

This bill represents an important advance in New York State standards for the protection of employees.


 M. P. Catherwood
 Industrial Commissioner

SENATE

Introduced by:

ASSEMBLY

Pr: 5414

Pr:

Int: 1607

Mr. Laverne

Int:

Law: Labor and Penal

Subject and Purpose (Brief Recapitulation): To extend wage payment protection to domestic workers and employees of nonprofit organizations, thereby permitting the Department of Labor to aid these workers in collecting unpaid wages.

Division of the Budget recommendation on the above bill:

Approve: X Veto: No Objection: No Recommendation:

This bill is identical to () very similar to (X)

Department of Labor

No. 12 which

(department or agency)

was submitted as a departmental bill this year. The points made in our earlier analysis of the departmental bill are still valid and our recommendation is unchanged.

(If the very similar category is checked, list below the changes contained in the bill as passed and discuss them to the required extent.)

This bill would permit nonprofit organizations to pay wages twice a month; the departmental proposal would have required these wages to be paid weekly. This change does not seriously detract from the bill; and we recommend that the bill be enacted.

Date: May 17, 1966

Examiner:

James S. Lawrence

JSL:fd

THE ASSOCIATION OF THE BAR
OF THE CITY OF NEW YORK
42 WEST 44TH STREET
NEW YORK 10036

COMMITTEE ON STATE LEGISLATION

ALVIN H. SCHULMAN, CHAIRMAN
200 PARK AVENUE
NEW YORK 10017
TN 7-5500

LEONARD SCHAITMAN, SECRETARY
200 PARK AVENUE
NEW YORK 10017
TN 7-5500

March 25, 1966

Re: S. Int. 1607, Pr. 1652 - Approved

Dear Mr. Douglass:

Answering your inquiry with respect to the above bill, we wish to inform you that we approve the measure.

The bill, to take effect October 1, 1966, and which was prepared under the direction, and introduced at the request of, the Department of Labor, would amend the following sections of law relating to the period following the rendition of services when wages must be paid to employees: Labor Law section 196, subdivision 2, section 196-c, section 198; Penal Law section 1272.

The sole effect of the bill would be to substitute for the phrase "person carrying on a business by lease or otherwise," upon whom the law imposes the duty of prompt wage payment, the more general but accurate designation "employer," thus eliminating an awkward and unintended possible restriction inherent in the present statute.

We believe this corrective amendment to be desirable and therefore approve the bill.

Sincerely,



Secretary

Hon. Robert R. Douglass
Executive Chamber
State Capitol
Albany, New York

This letter was prepared by the Association's Committee on Labor and Social Security Legislation.

THE ASSOCIATION OF THE BAR
OF THE CITY OF NEW YORK
42 WEST 44TH STREET
NEW YORK 10036

COMMITTEE ON STATE LEGISLATION

5-1607

ALVIN H. SCHULMAN, CHAIRMAN
300 PARK AVENUE
NEW YORK 10017
TN 7-8E.0

LEONARD SCHAITMAN, SECRETARY
300 PARK AVENUE
NEW YORK 10017
TN 7-8800

May 17, 1966

Re: S. Int. 1607, Pr. 1652, 5414 - Approved

Dear Mr. Douglass:

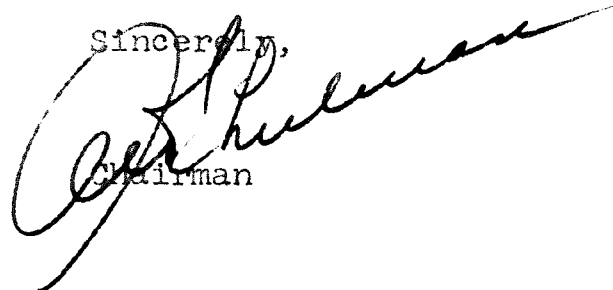
Answering your inquiry with respect to the above bill, we wish to inform you that we approve the measure.

The bill, to take effect October 1, 1966, and which was prepared under the direction, and introduced at the request, of the New York State Department of Labor, would require non-profitmaking organizations to pay employees wages not less frequently than semi-monthly. Up to this time, non-profitmaking organizations were held not to be employers under laws requiring timely payment of wages. People v. Yoffe, 15 A.D. 2d 672 (2d Dept. 1962).

The bill would accomplish this purpose by striking the qualification "carrying on a business by lease or otherwise" in sections of the Labor Law (sections 196(2), 196-c, 198) and Penal Law (section 1272) relating to employer payment of wages. The new wage payment requirements for non-profitmaking organizations are found in a proposed amendment to section 196(2) of the Labor Law, which also defines the term "non-profitmaking organization".

We believe that the bill is properly drafted to accomplish its intended purpose, and approve the proposed change.

Sincerely,



Chairman

Hon. Robert R. Douglass
Executive Chamber
State Capitol
Albany, New York 12224

This letter was prepared by the Association's Committee on Labor and Social Security Legislation.



NEW YORK LIBRARY ASSOCIATION

P. O. BOX 521 ■ WOODSIDE, NEW YORK 11377

LEGISLATIVE COMMITTEE

TEL. 672-9880

FOUNDED 1890

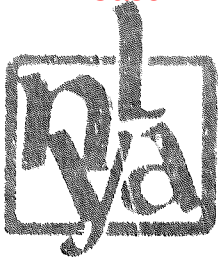
51607
March 23, 1966

Mr. Robert R. Douglas
Office of the Governor
Capitol
Albany, N.Y.

Dear Mr. Douglas:

At the suggestion of Mr. Hassi, I am writing in behalf of the New York Library Association to voice our objection to SI 1607 SP 1652 (La Verne) now before the Governor for approval.

This bill would remove the phrase "every person carrying on a business by lease or otherwise" from the Labor Law's current definition of the word "employer", thus making it mandatory for all employers to pay weekly the wages of employees whose whose work is predominantly physical or mechanical in nature. Since the amendment includes corporations within the meaning of employers, this would affect pages, book-mobile drivers, custodians, and messengers employed by over 700 libraries in this State, because in 1961 Opinion Attorney General 105 (Informal), it was stated: "A library chartered by the Board of Regents is not a municipality nor a civil nor a political subdivision of the State. It is a corporation." This would place an undue burden on such institutions, increase their costs, require strengthening of cash reserves in many instances with consequent loss of investment income, and compound book-keeping operations. The New York Public Library alone would be required to change its method of payment of wages to at least 600 employees, and many smaller operations which are presently exempted and which pay monthly wages would be seriously inconvenienced.



NEW YORK LIBRARY ASSOCIATION

FOUNDED 1890

P. O. BOX 521 WOODSIDE, NEW YORK 11377

LEGISLATIVE COMMITTEE

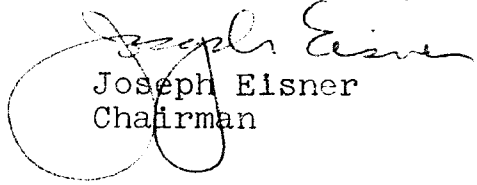
TEL. 672-9880

Mr. Robert R. Douglas - page 2

We also wonder whether this proposed amendment is not so broad in scope as to possibly include employees of hospitals, universities and colleges, and perhaps even governmental agencies.

We respectfully urge that the Governor veto SI 1607 SP 1652 on the grounds that the proposed amendment is so broad in scope as to include organizations which, unlike private contractors, small businesses and those which employ day laborers or domestics, or migrant workers, have already and will continue to pay their employees on a regular basis.

Sincerely yours,


Joseph Eisner
Chairman

Please address replies to:

999 Old Country Road
Plainview, N.Y. 11803

THE NEW YORK BOTANICAL GARDEN
BRONX • NEW YORK 10458 LU 4-8500

April 12, 1966

Robert R. Douglass, Esq.,
Counsel to the Governor
The State of New York
Executive Chambers
Albany, New York 12224

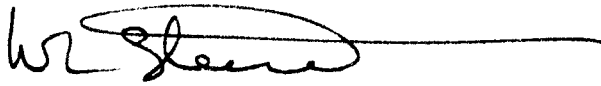
Dear Sir:

I am writing officially on behalf of The New York Botanical Garden to express my objections to a proposed bill before the Senate of the State Legislature (Print 1652; Intro. 1607) that would enforce weekly payment of wages, the provisions of which would apply to private non-profit organizations such as this one. The weekly payrolls for virtually all of our people on the wage basis are written by the City of New York on a bi-weekly basis, and I doubt very much if we could induce the City to find a way out of this conflict with its basic policy. Moreover, an interesting item is that the union to which our wage-based people belong has expressed its preference for bi-weekly payments, both over weekly or twice a month payments. Those of our wage-based employees paid from private funds on a bi-weekly basis would gain very little from being paid each week, and it would double our own payroll costs.

Frankly, although I can see the advantage of weekly payrolls for transient or short-term workers, I can see no benefit at all for those who have security in their positions and have been quite content for many years with the present situation, even with articulate union spokesmen.

We respectfully request that you make every effort to have the bill mentioned above modified so that it excludes private non-profit organizations such as this one, since if we were required to adhere to the provisions of the proposed bill, disadvantages would far outweigh benefits.

Sincerely yours,


William C. Steere
Director

MCS/gd



COMMERCE AND INDUSTRY ASSOCIATION OF NEW YORK

INCORPORATED

99 CHURCH STREET • NEW YORK, N. Y. 10007

Cable Address COMINDASSN • Telephone Rector 2-5200

March 23, 1966

S 1607

Hon. Robert R. Douglass
Counsel to the Governor
Executive Chamber
State Capitol
Albany, New York 12224

Re: S. Intro. 1607 - Print 1652
Laverne
NO POSITION

Dear Mr. Douglass:

The Commerce and Industry Association has no position with respect to subject bill which would amend the labor law so as to extend the obligation to pay wages and salaries at reasonable intervals to all employers.

Cordially,

Arnold Witte
General Manager

AW:jc

BOARD OF DIRECTORS

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N. H. WENTWORTH, Vice Chairman of Board,
The Continental Insurance Companies
J. HUBER WETENHALL, Chairman of Board,
National Dairy Products Corporation
DAVID L. YUNICH, President, Macy's New York
BURTON A. ZORN, Proskauer Rose Goetz & Mendelsohn



NEW YORK STATE AFL-CIO

DE WITT CLINTON HOTEL

ALBANY, N. Y. 12201

PHONE HE 6-8516 (Area Code 518)

RAYMOND R. CORBETT

President

LOUIS HOLLANDER

Secretary-Treasurer

MARCH 18, 1966

HON. NELSON A. ROCKEFELLER
GOVERNOR
STATE OF NEW YORK
THE CAPITOL
ALBANY, N.Y.

RE: S.I. 1607, S.P. 1652
S.I. 2484, S.P. 2566

DEAR GOVERNOR ROCKEFELLER:

ATTN. HON. ROBERT R. DOUGLASS

THE NEW YORK STATE AFL-CIO ENDORSES THE ABOVE BILLS AND
URGES THEIR BEING SIGNED INTO LAW.

BOTH BILLS EXTEND WAGE PAYMENT PROTECTIONS TO PERSONS
NOT NOW COVERED BY THE LAW; S.I. 2484 TO WORKERS WHO EARN
BETWEEN \$100 AND \$200 A WEEK, AND S.I. 1607 TO DOMESTIC
WORKERS AND TO EMPLOYEES OF NON-PROFIT ORGANIZATIONS.

IT MAKES LITTLE SENSE TO HAVE A WAGE PROTECTION LAW
AT ALL IF IT IS FILLED WITH LOOPHOLES AND EXCEPTIONS.
THERE IS NO REASON FOR ANY WORKER TO BE DENIED THE PROTEC
TIONS AVAILABLE TO THE GREAT BULK OF OTHER WORKERS IN THE
STATE. BOTH BILLS ARE LONG OVERDUE AND SHOULD PROMPTLY
BECOME LAW.

SINCERELY,

RAYMOND R. CORBETT
PRESIDENT

OPEIU-58



NEW YORK STATE AFL-CIO

DE WITT CLINTON HOTEL

ALBANY, N. Y. 12201

PHONE HE 6-8516 (Area Code 518)

RAYMOND R. CORBETT

President

LOUIS HOLLANDER

Secretary-Treasurer

MAY 12, 1966

RE: S.I. 1607, S.P. 5414

HON. NELSON A. ROCKEFELLER
GOVERNOR
STATE OF NEW YORK
EXECUTIVE CHAMBER
THE CAPITOL
ALBANY, N.Y.

DEAR GOVERNOR ROCKEFELLER: ATTN: ROBERT R. DOUGLASS

THE NEW YORK STATE AFL-CIO REITERATES ITS ENDORSEMENT OF THE ABOVE BILL AND URGES ITS BEING SIGNED INTO LAW. WE WROTE YOU ON MARCH 18 ENDORSING AN EARLIER PRINT OF THIS BILL.

THE BILL EXTENDS WAGE PAYMENT PROTECTIONS TO DOMESTIC WORKERS AND TO EMPLOYEES OF NON-PROFIT ORGANIZATIONS. IT MAKES LITTLE SENSE TO HAVE A WAGE PROTECTION LAW AT ALL IF IT IS FILLED WITH LOOPHOLES AND EXCEPTIONS. THERE IS NO REASON FOR ANY WORKER TO BE DENIED THE PROTECTIONS AVAILABLE TO THE GREAT BULK OF OTHER WORKERS IN THE STATE. THE BILL IS LONG OVERDUE AND SHOULD PROMPTLY BECOME LAW.

SINCERELY,

Ray Corbett
RAYMOND R. CORBETT
PRESIDENT

OPEIU-58

NEW YORK STATE CATHOLIC WELFARE COMMITTEE

Office of the Secretary • 100 State Street • Albany, New York 12207

May 9, 1966

Hon. Robert R. Douglass
Counsel to the Governor
Executive Chambers, State Capitol
Albany, New York 12224

Re: Sen. Int. 1607 (Pr. 5414) Laverne
Relating to payment of wages

Dear Mr. Douglass:

The above-numbered bill, recommended to the Legislature by the State Department of Labor, is now pending before the Governor for executive consideration. This bill was previously before the Governor and it was returned to the Legislature for reconsideration with respect to its effect upon non-profit organizations.

Upon its return to the Legislature, we had the opportunity of conferring with the State Department of Labor and with the legislative leadership with respect to the formulation of the modifications of this bill. We are pleased that modification has been made in the proposal which will make the bill less onerous upon the programs of religious, charitable and educational organizations.

This bill reflects a growing trend in regulatory legislation which fails to take into account the specific problems and the special characteristics of programs and organizations operated under religious, charitable and educational auspices. There is a growing tendency in our law to treat everyone alike. In doing so, the special protections and encouragements, which are afforded to programs of such organizations which are for the benefit of the general welfare, are being set aside.

While we do not object to the bill, we do call into question this whole trend because we see in it a failure to acknowledge the special characteristics and the special problems which eleemosynary organizations face.

Respectfully submitted,

Charles J. Tobin, Jr.
Charles J. Tobin, Jr.
Secretary

NEW YORK STATE CATHOLIC WELFARE COMMITTEE

Office of the Secretary • 100 State Street • Albany, New York 12207

May 24, 1966

Hon. Robert R. Douglass
Counsel to the Governor
Executive Chambers, State Capitol
Albany, New York 12224

Re: Sen. Int. 1607 (Pr. 5414) Laverne
Relating to payment of wages

Dear Mr. Douglass:


The above-numbered bill is now pending before the Governor for executive action, and you have asked us for our comments and recommendation with respect to it.

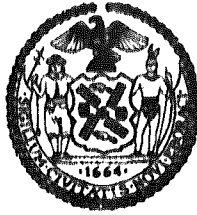
We previously objected to an earlier print of this bill and, as a result, certain modifications were made in the bill to conform to the suggestions which we made.

In the light of these revisions, we do not have any further objection to make to the bill.

With kind personal regards

Sincerely yours,


Charles J. Tobin, Jr.
Secretary



OFFICE OF THE
LEGISLATIVE REPRESENTATIVE

TEN EYCK HOTEL, ROOM 599
ALBANY, NEW YORK

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

March 21, 1966

M E M O R A N D U M

TO: HON. ROBERT R. DOUGLASS, Counsel to the Governor

FROM: RICHARD M. ROSEN, Assistant to the Mayor

RE: S-Laverne I. 1607 Pr. 1652

AN ACT To amend the labor law and the penal law, in
relation to payment of wages

This will acknowledge receipt of the Governor's request for the Mayor's recommendations concerning the above bill, which is before the Governor for executive action.

The bill would not have any substantial effect on the property, affairs, government or administration of the City.

Accordingly, the Mayor does not deem it advisable to make any specific recommendation concerning the bill.

Richard M. Rosen
Assistant to the Mayor

STATE OF NEW YORK
DEPARTMENT OF AUDIT AND CONTROL
ALBANY

ARTHUR LEVITT
STATE COMPTROLLER

March 21, 1966

IN REPLYING REFER TO

REPORT TO THE GOVERNOR ON LEGISLATION

TO: The Honorable Robert R. Douglass, Counsel to the Governor

The following bills are of "No Interest" to this Department:

SENATE	INT.	PR.
	175	175
	1100	1112
	1411	1436
	1266	1287
	1427	1452
	1527	1555
	1607	1652
	1701	1750
	1727	1776
	2088	2149
	2090	2151
	2091	2152
	2227	2296
	2229	2298
	2484	2566
	2780	2873
	4011	4168

ARTHUR LEVITT
State Comptroller

By

Alfred W. Haight
Alfred W. Haight
First Deputy Comptroller



STATE OF NEW YORK
DEPARTMENT OF AUDIT AND CONTROL
ALBANY

ARTHUR LEVITT
STATE COMPTROLLER

May 9, 1966

IN REPLYING REFER TO

REPORT TO THE GOVERNOR ON LEGISLATION

TO: The Honorable Robert R. Douglass, Counsel to the Governor

The following bills are of "No Interest" to this Department:

ASSEMBLY	INT.	PR.
	755	5682
	1550	6780
	2200	6547
	2872	6393
	5228	5390
	5868	6744
	5935	7033
SENATE	227	227-A
	888	897
	1098	2361
	1607	5414
	2156	2217
	2265	4337
	2838	6910
	2857	2950

ARTHUR LEVITT
State Comptroller

By *Alfred W. Haight*
Alfred W. Haight
First Deputy Comptroller

DD:bf

S 1607

TO COUNSEL TO THE GOVERNOR

RE: ASSEMBLY INT. , PR.

SENATE INT. 1607 , PR. 1652

This annexed bill does not appear to involve a substantial or unusual legal problem, nor to relate directly to the functions of the Department of Law. Consequently, the bill is returned without comment. If there is some particular aspect of the bill upon which you wish to comment, please advise me.

Dated: March 21, 1966

LOUIS J. LEFKOWITZ
Attorney General

1607

TO COUNSEL TO THE GOVERNOR

RE: ASSEMBLY INT. , PR.
SENATE INT. 1607 , PR. 5414

This annexed bill does not appear to involve a substantial or unusual legal problem, nor to relate directly to the functions of the Department of Law. Consequently, the bill is returned without comment. If there is some particular aspect of the bill upon which you wish to comment, please advise me.

Dated: May 11, 1966

LOUIS J. LEFKOWITZ
Attorney General